

ORDINANCE NO. 2003- 013

AN ORDINANCE OF THE BOARD OF COUNTY
COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA,
AMENDING ORDINANCE 92-20, KNOWN AS THE UNIFIED
LAND DEVELOPMENT CODE OF PALM BEACH COUNTY,
FLORIDA, AS FOLLOWS: AMENDING ARTICLE 15,
TRAFFIC PERFORMANCE STANDARDS; AMENDING
INTENT AND AUTHORITY; AMENDING DEFINITIONS;
AMENDING APPLICABILITY; AMENDING THE
STANDARD; AMENDING TRAFFIC IMPACT STUDIES;
AMENDING MODELING OF TRIPS; AMENDING
PROCEDURE; PROVIDING FOR INTERPRETATION OF
CAPTIONS; PROVIDING FOR REPEAL OF LAWS IN
CONFLICT; PROVIDING FOR SEVERABILITY;
PROVIDING FOR INCLUSION IN THE UNIFIED LAND
DEVELOPMENT CODE; AND PROVIDING FOR AN
EFFECTIVE DATE.

WHEREAS, Chapter 125, Florida Statutes, establishes the right and power of Counties to provide for the health, welfare, and safety of the existing and future residents by enacting and enforcing land development and administrative regulations necessary for the protection of the public; and

WHEREAS, Palm Beach County Ordinance No. 92-20 provided for the adoption of the Unified Land Development Code on June 16, 1992, pursuant to Section 163.3202, Florida Statutes, to further growth management requirements; and

WHEREAS, Chapters 125 and 163, Florida Statutes, grant authority to the Board of County Commissioners to adopt and enforce land development regulations within the unincorporated areas of Palm Beach County; and

WHEREAS, pursuant to its authority established in its Home Rule Charter, the Board of County Commissioners is authorized to adopt and enforce countywide certain land development regulations concerning traffic performance standards, which is included in the Unified Land Development Code; and

WHEREAS, the Board of County Commissioners has mandated that County staff conduct periodic reviews of the Unified Land Development Code to evaluate its various positions and to propose amendments to resolve new or outstanding issues, and to comply with the Comprehensive Plan, state statutes, and Federal law; and

WHEREAS, the Citizens Task Force, sitting as the Land Development Regulation Commission, has determined that this amendment is consistent with the Comprehensive Plan; and

WHEREAS, the Board of County Commissioners has determined that it is in the best interest of the public welfare to amend the Unified Land Development Code as herein provided.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

Section 1. Unified Land Development Code, Article 15, Traffic Performance Standards, is hereby amended as set forth in Exhibit A, which is attached hereto and incorporated herein by reference.

Section 2. Captions: The captions, section headings, and section designations used in this Ordinance are intended for the convenience of the users only and shall have no effect in the interpretation of the provisions of this Ordinance.

Section 3. Repeal of laws in conflict: All local laws and ordinances applying to Palm Beach County or any municipalities within the County in conflict with any provision of this Ordinance are hereby repealed to the extent of any conflict.

Section 4. Severability: If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

Section 5. Inclusion in the Unified Land Development Code: The provisions of this Ordinance shall become and be made a part of the Unified Land Development Code of Palm Beach County, Florida. Textual references to the effective date of this Ordinance may be replaced with the actual date this Ordinance takes effect. The sections of the Ordinance may be renumbered or relettered to accomplish such and the word "Ordinance" may be changed to "section," "article," or any other appropriate word.

Section 6. Effective date: The provisions of this Ordinance shall become effective March 31, 2003, or upon filing with the Department of State, whichever is later.

1 APPROVED AND ADOPTED by the Board of County Commissioners of Palm

2 Beach County, on the 11 day of March, 2003.

3 PALM BEACH COUNTY, FLORIDA,
4 BY ITS BOARD OF COUNTY COMMISSIONERS

5 DOROTHY H. WILKEN, CLERK
6 Board of County Commissioners
7 By Linda C. Hickman

8 DEPUTY CLERK

9 COUNTY
10 FLORIDA

11 By Karen T. Marcus

12 Karen T. Marcus, Chair

13 APPROVED AS TO FORM
14 AND LEGAL SUFFICIENCY

15 Leonard Bix
16 COUNTY ATTORNEY

17 EFFECTIVE DATE: Filed with the Department of State on this 14 day of
18 March, 2003.

19 STATE OF FLORIDA, COUNTY OF PALM BEACH
20 I, DOROTHY H. WILKEN, ex-officio Clerk of the
21 Board of County Commissioners certify this to be a
22 true and correct copy of the original filed in my office
23 on MARCH 11, 2003
24 DATED at West Palm Beach, FL on 4/3/03
25 DOROTHY H. WILKEN, Clerk
26 By: Diane Brown D.C.